

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

CHARLES MAUTI

v.

CA No. 06-61-T

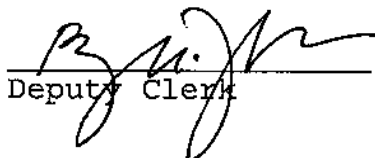
LAUREN MATARESE, et al.

ORDER DENYING MOTION FOR RECONSIDERATION

Plaintiff's motion for reconsideration of the order affirming the Magistrate Judge's ruling on plaintiff's motion to compel discovery is denied for the following reasons:

1. It appears that a lengthy hearing was held before the Magistrate Judge and, while the Magistrate Judge's Memorandum and Order succinctly sets forth his ruling on the many aspects of plaintiff's motion, it does not, and could not be expected to, expand on the reasons for that ruling or the arguments of counsel. While it may be that no evidence was presented during the hearing, L.R. Civ. 72(c)(2) requires that a party appealing a Magistrate Judge's order must file a transcript, not only of any evidentiary hearing conducted by the Magistrate Judge but also of any statements by the Magistrate Judge of the reasons for the order.
2. In any event, even a cursory examination of the motion and the Magistrate Judge's ruling makes it clear that the Magistrate Judge's ruling was not clearly erroneous or contrary to law. Therefore, granting the plaintiff's motion for reconsideration would be an exercise in futility.

By Order


Deputy Clerk

ENTER:


Ernest C. Torres
Sr. U.S. District Judge

Date: 12/22/06